

Applic. No. 10/828,813
Amdt. dated June 28, 2005
Reply to Office action of March 28, 2005

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-29 remain in the application. Claims 25-29 have been withdrawn from consideration.

In the penultimate paragraph on page 2 of the above-identified Office action, claims 1-24 have been rejected as being obvious over Cyron (EP 0 134 002 A1) in view of Smith et al. (U.S. Patent No. 4,256,700) (hereinafter "Smith") under 35 U.S.C. § 103.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 17 call for, *inter alia*:

at least one boundary region extending from the filter section, the boundary region having a first layer thickness

Applic. No. 10/828,813

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being different than a second layer thickness of the filter section.

The Examiner correctly stated on page 3 of the Office action that the Cyron reference fails to disclose that the boundary region has a first layer thickness being different than a second layer thickness of the filter section.

The Examiner stated on page 3 of the Office action that Smith discloses a filter for a catalytic converter having filter sections (10, 12). Applicants respectfully disagree with the Examiner. The Smith reference discloses a catalytic converter having monoliths (10 and 12) (column 2, line 65 to column 3, line 3).

The Examiner stated on page 3 of the Office action that the filter has a boundary region (58). Applicants respectfully disagree with the Examiner. The Smith reference discloses partially annular rib portions (58 and 60) which are part of shell members (16 and 18) of the housing (13) (column 3, lines 58-63).

The Examiner also stated that the regions (58) extend from the filter section. Applicants also respectfully disagree with this statement. As seen in Fig. 8 of Smith, Smith discloses

Applic. No. 10/828,813
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that the annular rib portions (58 and 60) are part of the housing (13) of the catalytic converter and the monoliths (10 and 12) are held within the housing (13), which is made of shell members (16 and 18). Therefore, contrary to the Examiner's allegations, Smith does not disclose a filter layer for a catalytic converter that has filter sections and a boundary region extending therefrom.

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show or suggest at least one boundary region extending from the filter section, the boundary region having a first layer thickness being different than a second layer thickness of the filter section, as recited in claims 1 and 17 of the instant application.

The Examiner correctly stated that Cyron does not disclose the feature.

Smith discloses a catalytic converter having monoliths (10 and 12) and a housing including annular rib portions (58 and 60). Accordingly, Smith does not show or suggest a filter layer having a filter section and a boundary region.

Applic. No. 10/828,813

Amdt. dated June 28, 2005

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The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

Furthermore, the arguments by the Examiner with respect to the layer thicknesses are not convincing, because the layer thicknesses cited by the Examiner (column 3, lines 64-68; column 4, lines 18-19; column 4, lines 58-64; and column 5, lines 9-44) are layer thicknesses of a wire mesh sleeve (44) and an intumescent sleeve (46), which are disposed between the shell members (14 and 16) and the monoliths (10 and 12) (Fig. 8).

Based on the above-given remarks, claims 1 and 17 are not obvious over Cyron in view of Smith.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 and 17. Claims 1 and 17 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 and 17, they are believed to be patentable as well.

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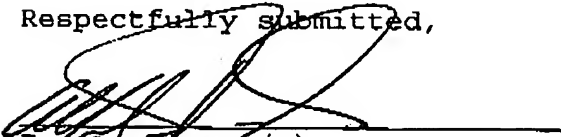
In view of the foregoing, reconsideration and allowance of
claims 1-29 are solicited.

In the event the Examiner should still find any of the claims
to be unpatentable, counsel respectfully requests a telephone
call so that, if possible, patentable language can be worked
out.

If an extension of time for this paper is required, petition
for extension is herewith made.

Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &
Greenberg P.A., No. 12-1099.

Respectfully submitted,



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